

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____

v. : **DATE FILED:** _____

ALVIN DUNSTON : **VIOLATIONS:**

: **21 U.S.C. §§ 841(a)(1) and(b)(1)(A)**
: **(Distribution of crack cocaine - 1 count)**
: **21 U.S.C. §§ 841(a)(1) and (b)(1)(B)**
: **(Possession of crack cocaine with intent**
: **to distribute - 1 count)**
: **21 U.S.C. §§ 841(a)(1) and (b)(1)(B)**
: **(Possession of cocaine with intent to**
: **distribute - 1 count)**
: **18 U.S.C. § 924(c) (Possession of firearm**
: **in furtherance of drug trafficking crime -**
: **1 count)**
: **18 U.S.C. § 922(g)(1) (Possession of**
: **firearm by convicted felon - 1 count)**
: **(Notice of forfeiture)**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about November 19, 2003, at Williams Township, Northampton County,
Pennsylvania, in the Eastern District of Pennsylvania, defendant

ALVIN DUNSTON

did knowingly and intentionally distribute more than fifty grams, that is, approximately 54.2
grams, of a mixture or substance containing a detectable amount of cocaine base (“crack”), a
Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 9, 2004, at Bethlehem, Pennsylvania, in the Eastern District of Pennsylvania, defendant

ALVIN DUNSTON

did knowingly and intentionally possess with intent to distribute more than five grams, that is, approximately 10.6 grams, of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 9, 2004, at Bethlehem, Pennsylvania, in the Eastern District of Pennsylvania, defendant

ALVIN DUNSTON

did knowingly and intentionally possess with intent to distribute more than five hundred grams, that is, approximately 895 grams, of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 9, 2004, at Bethlehem, Pennsylvania, in the Eastern District of Pennsylvania, defendant

ALVIN DUNSTON

knowingly possessed a firearm, that is, a loaded .357 caliber Smith & Wesson revolver, serial number AWT6806; a loaded 9mm Stallard Arms semi-automatic handgun with obliterated serial number; and a loaded .357 caliber Taurus revolver, serial number VD91101, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, as charged in this indictment.

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 9, 2004, at Bethlehem, Pennsylvania, in the Eastern District of Pennsylvania, defendant

ALVIN DUNSTON,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a .357 caliber Taurus revolver serial number VD91101, loaded with ammunition; a 9mm Stallard Arms semi-automatic handgun with obliterated serial number; and a .357 caliber Smith & Wesson revolver, serial number AWT6806, loaded with ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE

1. As a result of the violations of Title 21, United States Code, Section 841 as charged in this indictment, defendant

ALVIN DUNSTON

shall forfeit to the United States of America, pursuant to Title 21, United States Code, Section 853, the following property:

(a.) Any property which defendant used in any manner or part to facilitate the commission of the violations of Title 21, United States Code, as charged in this indictment; and

(b.) Any property which constitutes or is derived from proceeds obtained directly or indirectly as the result of the violations of Title 21, United States Code, as charged in this indictment.

2. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

(a.) cannot be located upon the exercise of due diligence;

(b.) has been transferred or sold to, or deposited with, a third party;

(c.) has been placed beyond the jurisdiction of the court;

(d.) has been substantially diminished in value; or

(e.) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant.

All pursuant to Title 21, United States Code, Section 853.

3. As a result of the violations of Title 18, United States Code, Sections 924(c), and 922(g)(1), set forth in this indictment, defendant

ALVIN DUNSTON

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of such offenses, including, but not limited to:

- (a.) a .357 caliber Taurus revolver serial number VD91101 and ammunition;
- (b.) a 9mm Stallard Arms semi-automatic handgun with obliterated serial number and ammunition; and
- (c.) a .357 caliber Smith & Wesson revolver serial number AWT6806 and ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney